



Apprenticeship Is Your Business

The Building and Construction Industry: Employer Participation in Registered Apprenticeship



The Washington State Apprenticeship and Training Council (WSATC) defines **Employer** as:

“Any person or organization employing an apprentice whether or not such person or organization is a party to an apprenticeship agreement with the apprentice and includes both union and open shop employers.” WAC 296-05-001.

Registered apprenticeship is an employer focused on-the-job training program combined with related classroom instruction. When sponsors voluntarily request state approval of their apprenticeships they also choose to come under various state and federal regulations affecting the conduct of their program. The WSATC approves sponsors of apprenticeship programs in the Building and Construction Industry in these categories:

An individual Employer:

- That is signatory to a collective bargaining agreement with a labor organization is known as an **Individual-joint** program.
- Where there is no labor organization it is known as an **Individual nonjoint** program.

A group of Employers in the same industry:

- That are signatory to a collective bargaining agreement with a labor organization is known as a **Group-joint, or area joint** program.
- Where there is no labor organization it is known as a **Group nonjoint, or area group** program.

NOTE: When either management or the labor organization voluntarily waives participation by notifying the other party in writing it is known either as an Individual or Group **waiver** program.

An **Apprenticeship Committee** is composed of an equal number of management and nonmanagement representatives and administers the program regardless of the sponsor category.

For committees that represent a **one occupation**:

- at least fifty percent of the members of committees must be occupationally qualified by education and experience in the occupation for which the committee is responsible.

For committees that represent **multiple occupations** committee members must either:

- Be occupationally qualified by education and experience in the specific occupations for which the committee is responsible and must be able to verify the occupational qualifications of the members, or;
- Be known to represent the interests of the multiple occupations served.

Apprenticeship committees are responsible for the day-to-day operation of their program. Their requirements are described in the WSATC approved **Standards of Apprenticeship** that outline the terms and conditions of apprentice training and Training Agent management.

A **Training Agent** is an employer of registered apprentices approved by the sponsor to furnish on-the-job training. They must agree to employ and only use registered apprentices to perform the work processes of the approved apprenticeship standards.

All “Group” committees are expected to provide access to apprenticeship and training opportunities to employers not currently participating in the program. Those opportunities *must be on an equal basis to all employers and apprentices* including all rights, appeals, and services available in the existing apprenticeship program. The apprenticeship committees must:

- Provide training at a cost equivalent to that incurred by currently participating employers and apprentices;
- Not require an employer to sign a collective bargaining agreement as a condition of participation in an apprenticeship program;
- Require all employers requesting "approved training agent" status to comply with a WSATC approved agreement, all federal and state apprenticeship rules, and the approved standards of apprenticeship. (The training agent shall employ only registered apprentices when training for that trade);
- Grant equal treatment and opportunity for all apprentices;
- Offer reasonable working and training conditions and apply those conditions to all apprentices uniformly and equally;
- Enter into agreements with other apprenticeship committees for the use of apprentices by training agents working outside their approved geographic area served.

Sponsors who approve or rescind "approved training agent" agreements must furnish the department a copy of the agreement and/or the list of approved training agents within thirty days of committee approval.

If an existing committee fails to or refuses to offer apprenticeship and training opportunities to all employers, the WSATC may take action to remove the restrictions to access in order to comply with the intent of chapter 49.04 RCW and these rules. Action may include, but is not limited to, the decertification of the existing committee and recognition of a new committee. WAC 296-05-303.

Apprenticeship “The Original 4 Year Degree”

For additional information about Registered Apprenticeship in Washington, contact the Apprenticeship Section at 360-902-5320 or apprentice@LNI.wa.gov.

Web site: <http://www.lni.wa.gov/TradesLicensing/Apprenticeship/>